

1 HONORABLE JUDGE RICARDO S. MARTINEZ
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8 UNITED STATE DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 UNITED STATES OF AMERICA,
12 Plaintiff,

13 VS.

14 MARTIN ARAGON LERMA,
15 Defendant

16 Case No.: 2:24-cr-00045

17 ORDER CONTINUING TRIAL

18 This matter comes before the Court on Mr. Lerma's motion to
19 continue the trial in this case, and to set a new pretrial motion cutoff consistent
20 with the new trial date. Having considered the motion and all the files and records
21 herein, the Court finds and rules as follows:

22 The facts supporting continuing the trial and excluding the consequent
23 delay are set forth in the Motion to Continue, incorporated by this reference, and
24 ORDER CONTINUING TRIAL - 1

1 include the following: (a) the amount of discovery recently disclosed; (b) the
2 significant sentence faced by the defendant as currently charged, (c) the fact
3 discovery is still outstanding, and (d) the need for defense counsel to have an
4 appropriate period to review discovery, consult with their client with the language
5 barrier, negotiate with the government, and prepare a defense, and (e) Mr. Lerma
6 has waived his right to a speedy trial.

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8 THE COURT THEREFORE FINDS Pursuant to 18 U.S.C Sections
9 3161(h)(7)(B) (iv), based on the facts above, a continuance is necessary because a
10 continuance is necessary because “(iv), failure to grant a continuance...would deny
11 counsel for the defendant or the attorney for the Government the reasonable time
12 necessary for effective preparation, taking into account the exercise of due
13 diligence.”

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15 THIS COURT THEREFORE FINDS, in light of the factors above, it
16 is unlikely that the parties can be reasonably ready to try this matter before
17 September 9, 2024.

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19 THIS COURT FURTHER FINDS that all the additional time
20 requested between the current trial date of May 13, 2024, and the new trial date is
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23 ORDER CONTINUING TRIAL - 2

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28 THE SMITH LAW
4301 NE 4th St. PO Box 2767,
Renton, WA 98059
sade@thesmithlaw.com
(206) 715-4248
Fax: (250) 900-2664

1 necessary to provide counsel for the defendant the reasonable time necessary to
2 effectively represent Mr. Lerma, including preparing for trial.
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4 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date
5 in this matter will be continued until September 9, 2024.
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7 IT IS HEREBY ORDERED, that pretrial motions will be filed no later
8 than July 18, 2024.
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10 IT IS FURTHER ORDERED that the time between this date and the
11 new trial date is excluded in computing the time within which a trial must be held
12 pursuant to Title 18, United States Code, Section 3161, et seq.
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14 DATED this 3rd day of April, 2024.
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17 RICARDO S. MARTINEZ
18 UNITED STATES DISTRICT JUDGE
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22 Presented by:
23

24 s/ Sade' A. Smith
25 Sade' A. Smith
26 WSBA #44867
Attorney for Mr. Lerma

27 ORDER CONTINUING TRIAL - 3
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THE SMITH LAW
4301 NE 4th St. PO Box 2767
Renton, WA 98059
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